

ORDINANCE NO. 023-117

AN ORDINANCE AUTHORIZING AN  
INTERGOVERNMENTAL AGREEMENT  
WITH THE CHICAGO HOUSING  
AUTHORITY FOR THE ACQUISITION OF  
A PARCEL AND ACCEPTANCE OF  
PERMANANT AND TEMPORARY  
EASEMENTS FOR THE RED LINE  
EXTENSION PROJECT

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WHEREAS, The Chicago Transit Authority ("Authority") is undertaking a project to build stations and extend rail infrastructure on the Red Line, also known as the Red Line Extension Project (the "Project"); and

WHEREAS, The Project will extend the Red Line from the existing terminal at 95th/Dan Ryan to 130th Street and include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street, with multimodal connections at each station including bus, bike, pedestrian, and park & ride facilities; and

WHEREAS, The Project will reduce commute times for residents, improve mobility and accessibility, and foster economic development, where stations may serve as catalysts for neighborhood revitalization; and

WHEREAS, The Authority has identified real property owned by the Chicago Housing Authority ("CHA") (the "CHA Parcels"), necessary for the completion of the Project; and

WHEREAS, The Transit Board previously designated the CHA Parcels for acquisition for the Project, per Ordinance No. 022-118; and

WHEREAS, The Metropolitan Transit Authority Act ("MTA Act"), 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate and maintain a public service transportation system in the area; and

WHEREAS, The MTA Act, 70 ILCS 3605/8, provides that the Authority has the power to acquire any property useful for its purposes; and

WHEREAS, The CHA has agreed to convey the CHA Parcels to the Authority, and the parties wish to enter into an intergovernmental agreement (the "IGA"), attached as Exhibit A hereto, to detail the terms of the conveyance; and

WHEREAS, The Authority will acquire a fee interest (the "Fee Parcel"), a permanent easement (the "Permanent Easement"), and a temporary easement (the "Temporary Easement") in the CHA Parcels located near South Greenwood Avenue

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between East 130<sup>th</sup> and East 132<sup>nd</sup> Streets, Chicago, Illinois (see Exhibits A, B, and C to the IGA); and

WHEREAS, The CHA, through the City's Department of Assets, Information and Systems (AIS), reserves the right to require, at the Authority's expense, Phase II Environmental Site Assessments, if AIS or the CHA reasonably deems them necessary; and

WHEREAS, The IGA requires the Authority to allow CHA to review design plans for the 130th station and pedestrian pathway design plans. The Authority agrees to consider feedback provided by CHA and other community members for incorporation into the final design, in accordance with Exhibit G to the IGA, but the Authority retains final discretion for station and pedestrian pathway design and construction; and

WHEREAS, The purchase price shall be \$950,000.00 for the Fee Property, \$53,200.00 for the Permanent Easement, and \$145,000.00 for the Temporary Easement, and the Authority will pay closing costs; and

WHEREAS, The Authority shall give CHA the option to purchase the Fee Property and Permanent Easement Property if (1) CTA has not begun construction within 10 years of the execution of the IGA, or (2) parcels used for the 130th Street station and adjacent infrastructure are not used to provide public transit service for a period of one year or more, so long as permitted by federal agencies such as the Federal Transit Administration and Department of Housing and Urban Development; and

WHEREAS, The IGA requires the Authority to indemnify the CHA, including for environmental claims; and

WHEREAS, Cooperation between and among governmental agencies and entities through intergovernmental agreements is authorized by the Intergovernmental Cooperation Act (5 ILCS 22/1 et seq.); now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chairman of the Chicago Transit Board, or his designee, is authorized to enter into an intergovernmental agreement with the Chicago Housing Authority for acquisition of the CHA Parcels which requires the Authority to pay CHA Nine Hundred Fifty Thousand Dollars (\$950,000.00) for the Fee Parcel, Fifty Three Thousand Two Hundred Dollars (\$53,200.00) for the Permanent Easement, and One Hundred

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Forty-Five Thousand Dollars (\$145,000.00) for the Temporary Easement, requires the Authority to indemnify the CHA, and contains such other terms as are substantially in conformance with the Intergovernmental Agreement between Chicago Transit Authority and Chicago Housing Authority attached as Exhibit A hereto.

SECTION 2. The Chairman, or his designee, is further authorized to enter into a quit claim deed, temporary easement agreement, and permanent easement agreement for the CHA Parcels which contain such terms as are substantially in conformance with the Quit Claim Deed attached as Exhibit D to the IGA, the Temporary Easement attached as Exhibit E to the IGA, and the Permanent Easement Agreement attached as Exhibit F to the IGA.

SECTION 3. The Chairman, or his designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

October 13, 2023

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Secretary

October 13, 2023